

### **REMARKS**

This Amendment and the following remarks are intended to fully respond to the Office Action mailed April 7, 2008, hereinafter "Office Action." In that Office Action, claims 21-27 were rejected under 37 USC 101 because the claimed invention is allegedly directed to non-statutory subject matter such as energy. Claims 1, 3-10, 12-32 and 34-38 were rejected under 35 USC 102(e) as being anticipated by Noel Abela, Publication No. US 2003/0177356 A1 (hereinafter referred to as "Abela").

Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

In this Response, claims 21-27 have been amended and no claims have been canceled or added. Therefore, claims 1, 3-10, 12-32, and 34-38 remain present for examination.

### **Interview Request**

Applicants respectfully point out that the Office Action did not respond to Applicants' remarks made in the After Final Amendment filed on December 17, 2007. Furthermore, Applicants filed an RCE on January 17, 2007 asking the Examiner to again consider the After Final Amendment filed on December 17, 2007. The Office Action simply reiterates the §102 rejection mailed on October 17, 2007 without addressing Applicants' arguments.

For the Examiner's convenience, Applicants previous remarks have been reproduced in this Amendment. Applicants have faxed an interview request form to 571.273.8300 requesting an interview with Examiner Nguyen. Applicants respectfully request that the Examiner grant the interview request to discuss Applicants remarks.

### **Claim Rejections – 35 U.S.C. § 101**

Claims 21-27 were rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicants respectfully traverse the § 101 rejection in light of the current amendments. Claims 21-27 have been amended to recite a computer storage medium. The specification states,

“[c]omputer storage media includes volatile and nonvolatile, removable and non-removable media implemented in any method or technology for storage of information such as computer readable instructions, data structures, program modules or other data. Memory 204, removable storage 208 and non-removable storage 210 are all examples of computer storage media. Computer storage media includes, but is not limited to, RAM, ROM, EEPROM, flash memory or other memory technology, CD-ROM, digital versatile disks (DVD) or other optical storage, magnetic cassettes, magnetic tape, magnetic disk storage or other magnetic storage devices, or any other medium which can be used to store the desired information and which can be accessed by system 200. Any such computer storage media may be part of system 200.”

The embodiments recited in the amended claims are encoded in tangible, computer-readable media and are, thus, patentable subject matter under 35 U.S.C. § 101. *In re Beauregard*, 53 F.3d 1583, 1584 (Fed. Cir. 1995). In light of these amendments, Applicants respectfully request that the Examiner withdraw the § 101 rejection.

#### **Claim Rejections – 35 U.S.C. § 102(e)**

Claims 1, 3-10, 12-32 and 34-38 were rejected under 35 U.S.C. § 102(e) as being anticipated by Abela. Applicants respectfully traverse the § 102(e) rejections because either the Examiner has failed to state a *prima facie* case of anticipation or the current amendments to the claims now render the Examiner’s arguments moot. Indeed, a *prima facie* case of anticipation can be met only where the reference teaches each and every aspect of the claimed invention. *See* MPEP §§ 706.02 & 2136. Under 35 U.S.C. § 102, a reference must show or describe each and every element claimed in order to anticipate the claims. *Verdegaal Bros. v. Union Oil Co. of California* 814 F.2d 628 (Fed. Cir. 1987) (“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference”). Specifically, Abela fails to teach or suggest a plurality of identity references, wherein each of the plurality of identity references comprise at least part of one of the resource objects within the computing environment, and wherein each of the plurality of identity references identifies its associated resource object as being associated with a specific principal based on a link assertion within the identity reference to a specific identity claim, as recited in claim 1.

Abela discloses a method and system for providing a trusted universal identification over a global communication network. Abela uses Universal Identification (uID) servers in each country to connect official databases (e.g., government databases) to the Internet. *See Abela paras. 0065-0072*. This permits users to check identification claims of other users through a query of the official information kept by each user's home country. *See id. para. 0056*. Each user is provided a uID that begins with the user's country code. *See id. para. 0062*. Another user can use the uID to authenticate any user who is requesting a service. *See id. para. 0056*.

For example, Abela teaches and suggests a uID which facilitates logging into various access or identity restricted websites located on the Internet (e.g., "Hotmail", "Yahoo", or "Netscape" mail). *See id. para. 0091*. Abela specifically teaches a way of providing a single identification to a uID user which the uID user may pass to a website in order to access the website. Abela states,

A "uID user" is anyone making use of uID services or utilities and who is authenticated by his, her, or its uID identifier and digital secret/s or signatures. In this case, a uID compliant web server, and its users are all considered "uID users". The delivery of any uID service or transaction involves at least two uID users. To distinguish between them, we shall refer to user system 403 as the "enquired" uID user and web server system 404 as the "enquirer" uID user, since it is server 404 who is enquiring about user 403. A combination of a uID identifier 405 and a digital signature 411 is used to authenticate enquired 403 while a combination of a uID identifier 407 and a digital signature 412 is used to authenticate enquirer 404.

*See id.* As previously mentioned, the uID's are managed and granted by nations. *See id. paras. 0065-0072*. In this sense, it is illustrative to think of Abela as teaching a system for distributing electronic "passports" to web users. Users can show these "passports" to be granted entry into a website rather than having to prove an identity for each website the user desires to access (i.e., the user maintains a different login and password for each website he or she visits). The uID's taught in Abela are identification cards specifically associated with a user, and not a resource.

On the other hand, embodiments of the present disclosure teach a plurality of identity references, wherein each of the plurality of identity references comprise at least part of one of the resource objects within the computing environment, and wherein each of the plurality of identity references identifies its associated resource object as being associated with a specific principal

based on a link assertion within the identity reference to a specific identity claim, as recited in claim 1. The identity references specifically comprise at least part of the resource objects within the computing environment. It would be impossible for the uID taught in Abela to comprise at least part of the resource objects within the computing environment. As its name implies, a uID is universal, and therefore envisioned as being used to access any website on the Internet. Clearly, it would be impossible for the uID to contain at least a portion of a resource from every possible website that the uID is used to access due to the vast amount of websites on the Internet. Furthermore, even if the uID did contain a portion of resources from every website the uID was used to access, the size of the uID would be enormous, rendering the transmittal of the uID over the Internet inefficient due to the amount of bandwidth that would be required to transmit it. This results in a slow, inefficient process for granting access to a website, which is contrary to the purpose of the uID's disclosed in Abela.

By contrast, the present claims provide considerably more flexibility by creating and using principal objects and resource objects, which include identity claims and identity references, respectively. For example, identity references are references to identity claims that link resource objects to at least one specific identity claim in associated principal objects. *See, e.g., specification at p. 6.* Identity references, as claimed, “comprise at least part of the resource objects.” *See specification at p. 7.* The principal objects and resource objects of the amended claims may be used by computer processes to advantageously associate resources and principals. There is no need for such association between a principle and a resource in Abela. This is because Abela teaches using an authentication process using a uID server each time the user accesses a website. *See id. para. 0069.* On the other hand, by providing a link to a principle and a resource in a principle object, the need for a central authentication server is removed in embodiments of the claims. For at least the aforementioned reasons, claim 1 is allowable over the cited reference.

Independent claim 10 similarly includes:

a plurality of identity references, wherein each of the plurality of identity references comprise at least part of one of the resource objects within the computing environment, and wherein each of the plurality of identity references identifies its

associated resource object as being associated with a specific principal based on a link assertion within the identity reference to a specific identity claim.

*See Claim 10.*

Claim 10 is, therefore, also distinguishable from Abela for at least the same reasons as claim 1.

In regards to independent claim 21, claim 21 recites a time reference assertion specifying a time frame in which the principal is uniquely identified by the value assertion within the particular identification scheme. The Office Action cites paragraph 0091 of Abela as teaching this limitation. *See Office Action p. 8*. Applicants respectfully disagree. Indeed, paragraph 0091 of Abela fails to teach or suggest specifying a time frame at all. Paragraph 0091 states:

FIGS. 3A, 4 and 5 help to explain the delivery of all services. At this point, it is necessary to distinguish between the terms "user" and "uID user" as referred to in this document. The term "user" refers to any user of online services, for example anyone making use of "Hotmail", "Yahoo" or "Netscape" mail. A "uID user" is anyone making use of uID services or utilities and who is authenticated by his, her, or its uID identifier and digital secret/s or signatures. In this case, a uID compliant web server, and its users are all considered "uID users". The delivery of any uID service or transaction involves at least two uID users. To distinguish between them, we shall refer to user system 403 as the "enquired" uID user and web server system 404 as the "enquirer" uID user, since it is server 404 who is enquiring about user 403. A combination of a uID identifier 405 and a digital signature 411 is used to authenticate enquired 403 while a combination of a uID identifier 407 and a digital signature 412 is used to authenticate enquirer 404.

*See Abela para. 0091*. Clearly, the portion of Abela cited by the Office Action fails to teach or suggest anything even remotely related to specifying a time frame. In the last response, filed August 9, 2007, Applicants pointed out a reference in Abela to time-sensitive information relates to how long authentication requests to a uID server will last (*See Abela, paragraph 0105*) and how long. However, the claimed time reference assertion declares how long the principal "is uniquely identified by the value assertion within the particular identification scheme." In fact,

there is no need in Abela for the claimed time reference assertion because Abela specifically teaches that “[i]t is very important for the data in the uID database to be synchronized with its official source. Each uID database has to be kept regularly updated.” *See Abela, para. 0055*. Because Abela chooses to use a synchronized master database of information that can be queried at any time rather than the principal objects and resource objects of the present claims, there is no need for a time assertion of how long the value assertion validly identifies a principal. Applicants respectfully requests that the Examiner withdraw this rejection, and issue a notice of allowance at his earliest convenience.

Abela also fails to disclose all of the elements of amended claim 28. Claim 28 includes:

creating a phantom principal object in response to receiving a resource object having a identity reference comprising a declaration that does not link the resource object to the principal object, the declaration comprising an identification string uniquely identifying a second principal within the particular identification scheme, and wherein the phantom principal object is created to include the identification string assigned to the second principal; and  
saving the phantom principal object to a data store containing the principal object corresponding to the first principal.

Abela does not teach or suggest the claimed limitation. In fact, the Office Action seems to have ignored these limitations which were previously entered in Applicants’ response filed on August 9, 2007. The Office Action fails to provide any evidence that these limitations are taught or suggested by Abela. Applicants respectfully request that the Examiner withdraw his rejection and issue a notice of allowance for the claims at his earliest convenience.

For the forgoing reasons, Abela does not teach all the limitations of independent claims 1, 10, 21, and 28 and therefore cannot anticipate the present invention as claimed. Independent claims 1, 10, 21, and 28 are allowable over the prior art of record and should be allowed. All other claims, *i.e.*, claims 3-9, 12-20, 22-27, 29-32 and 34-38 depend from the allowable independent claims and are, thus, also allowable over the prior art of record for at least the same reasons noted

above. Therefore, Applicants respectfully request that the Examiner issue a notice of allowance, for all claims, at his earliest convenience.

### **Conclusion**

These arguments and remarks in response to the Abela reference were made in Applicants' previous amendment filed on December 17, 2007. These remarks do not appear to have been responded to by the Office Action. Applicants' believe that the recited claims are not anticipated by the cited reference and, again, respectfully request that the Examiner consider these remarks and issue a notice of allowance for all claims. In addition, Applicants have requested an examiner interview to discuss the differences between the claims and the aBela reference. If appropriate, Applicants request the opportunity to file supplemental amendments and/or remarks prior to the next office action.

This Amendment fully responds to the Office Action mailed on April 7, 2008. Still, that Office Action may contain arguments and rejections that are not directly addressed by this Amendment due to the fact that they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicants believe the argument has merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

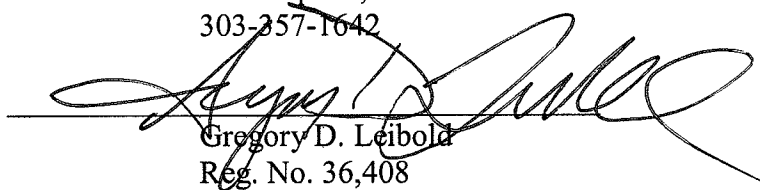
It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments, it is believed that the application is now in condition for allowance, and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is respectfully requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
303-357-1642

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Gregory D. Leibold  
Reg. No. 36,408

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